

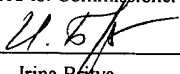
PATENT  
Docket No. 464332000200

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

Express Mail Label No.: EV 042146219US

Date of Deposit: May 29, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Box PCT, US PTO, Washington, D.C. 20231

  
Irina Bortva

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Lingxun DUAN

Serial No.: 09/869,445

Filing Date: June 26, 2001

For: PRODUCTION OF RECOMBINANT  
MONELLIN USING  
METHYLOTROPHIC YEAST  
EXPRESSION SYSTEM

Examiner: To be Assigned

Group Art Unit: To be Assigned

**TRANSMITTAL**

Box PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Attached hereto for filing are the following:

1. Response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)
2. Copy of the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)
3. Paper copy of the substitute sequence listing
4. A computer readable form copy of the substitute sequence listing on CD-R (CRF COPY)

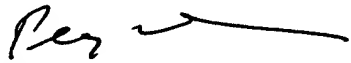
-Machine format: IBM PC COMPATIBLE  
-Operating system: PC-DOS/MS-DOS  
-File contained on CD: 4643320002.txt  
-Date recorded: May 29, 2002

5. Return postcard

In the unlikely event that the Patent Office determines that extensions and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or fees due to our Deposit Account No. 03-1952 under Order No. **464332000200**. The Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: May 29, 2002

By:   
Peng Chen  
Registration No. 43,543

Morrison & Foerster LLP  
3811 Valley Centre Drive  
Suite 500  
San Diego, California 92130-2332  
Telephone: (858) 720-5117  
Facsimile: (858) 720-5125

PATENT

Docket No. 464332000200

Rec'd PCT/PTO 29 MAY 2002

#4

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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*U. Britva*  
Irina Britva

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Lingxun DUAN

Serial No.: 09/869,445

Filing Date: June 26, 2001

For: PRODUCTION OF RECOMBINANT  
MONELLIN USING  
METHYLOTROPHIC YEAST  
EXPRESSION SYSTEM

Examiner: To be assigned

Group Art Unit: To be assigned

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.  
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Box PCT  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This is in response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), mailed April 22, 2002, for which a response is set to expire June 22, 2002. Accordingly, this response is timely filed.

Please enter the following substitute sequence listing and remarks.

sd-94473

Serial No. 09/869,445  
Docket No. 464332000200

**In the Sequence Listing:**

Please replace a paper copy of the sequence listing, submitted along with the patent application, with the paper copy of the substitute sequence listing submitted herewith. A computer readable form of the substitute sequence listing accompanies this response.

## REMARKS


The undersigned hereby states that the computer readable form copy (CFR copy) of the substitute sequence listing and the paper copy of the substitute sequence listing, submitted in accordance with 37 C.F.R. § 1.825(a) and (b), respectively, are the same and contain no new matter. Accordingly, entry of the substitute sequence listing into the above-captioned case is respectfully requested.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 464332000200. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: May 29, 2001

By:

  
Peng Chen  
Registration No. 43,543

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3811 Valley Centre Drive, Suite 500  
San Diego, CA 92130-2332  
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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/869,445	Lingxun Duan	46433200200 2002 00
INTERNATIONAL APPLICATION NO.		
PCT/US99/29213		
I.A. FILING DATE	PRIORITY DATE	
12/09/1999	12/31/1998	

Peng Chen  
 Morrison & Foerster  
 3811 Valley Center Drive Suite 500  
 San Diego, CA 92130-2332

CONFIRMATION NO. 4159

371 FORMALITIES LETTER



\*OC00000007914246\*

Date Mailed: 04/22/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Small Entity Statement

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the

requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- APPLICANT MUST PROVIDE:
  - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
  - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 305-3631

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/869,445	PCT/US99/29213	46433200200